

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF MISSOURI
THOMAS F. EAGLETON U.S. COURTHOUSE
111 S. TENTH STREET
ST. LOUIS, MISSOURI 63102

DONALD J. STOHR
DISTRICT JUDGE

(314) 244-7580

January 3, 2005

Warden A.F. Beeler
Federal Medical Center
P.O. Box 1500
Butner, NC 27509

By fax transmission to (919) 575-4866

Re: Sell, Charles
Register No. 26864-044
Docket Nos. S2-4:97CR290-DJS & S2-4:98CR177-DJS

Dear Warden Beeler:

I have received your letter dated December 28 concerning the evaluation period for Charles Sell. The November 24, 2004 order for the current examination of defendant Sell's mental condition directed the Marshal to transport defendant to the Medical Center at Butner, and for defendant "there to be examined as promptly as possible but in no case for a period in excess of forty-five (45) days." This wording does, I believe, indicate that computation of the 45-day limit begins as of defendant's admission to the Medical Center. I am therefore in full agreement with your request that the evaluation period begin on the date of Sell's arrival at your institution, but I do not believe any amendment of my order is necessary to make it so. I admit some confusion, however, as to your indication that the evaluation period will end on January 12 if your request is granted. By my calculation, the 45-day period for evaluation, commencing on Sell's admission to your facility on December 22, would extend through February 7, 2005.

I hope this letter is sufficient to address your needs and concerns. If not, please do not hesitate to contact me further. Thank you for your assistance in this matter.

Very truly yours,



Donald J. Stohr

cc: Assistant U.S. Attorneys Dorothy McMurtry, Howard Marcus & Tom Albus
Defense Counsel Burton Shostak, Barry Short, Mark Light & Lee Lawless